



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

FRANCISCO SANDOVAL,
a/k/a "Shorty," and
FRANK ALBERT SALCEDO,

Defendants.

-x

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-x

INDICTMENT

07 CRIM 305

COUNT ONE

The Grand Jury charges:

1. From in or about January 26, 2007, through and including on or about February 13, 2007, FRANCISCO SANDOVAL, a/k/a "Shorty," and FRANK ALBERT SALCEDO, the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that FRANCISCO SANDOVAL, a/k/a "Shorty," and FRANK ALBERT SALCEDO, the defendants, and others known and unknown, would and did distribute, and possess with intent to distribute, a controlled substance, to wit, 50 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

Overt Acts

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York:

a. On or about February 1, 2007, FRANCISCO SANDOVAL, a/k/a "Shorty," the defendant, possessed approximately 46 grams of cocaine base in New York, New York.

b. On or about February 13, 2007, FRANK ALBERT SALCEDO, the defendant, possessed approximately 66 grams of cocaine base in New York, New York.

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

4. On or about February 13, 2007, in the Southern District of New York, FRANCISCO SANDOVAL, a/k/a "Shorty," and FRANK ALBERT SALCEDO, the defendants, unlawfully, intentionally, and knowingly, did distribute and possess with intent to distribute a controlled substance, to wit, 50 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A); and Title 18, United States Code, Section 2.)

Forfeiture Allegations as to Counts One and Two

5. As a result of committing the controlled substance offenses alleged in Counts One and Two of this Indictment,

FRANCISCO SANDOVAL, a/k/a "Shorty," and FRANK ALBERT SALCEDO, the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. § 853 and 970, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of said violations.

Substitute Asset Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of FRANCISCO SANDOVAL, a/k/a "Shorty," and FRANK ALBERT SALCEDO, the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value;
- or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of FRANCISCO

SANDOVAL, a/k/a "Shorty," and FRANK ALBERT SALCEDO, the defendants, up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 853 and 970.)

James J. Macchia - Paris
FOREPERSON

Michael J. Garcia
MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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Defendants.

INDICTMENT

07 CR ____

(Title 21, United States Code, Section 846)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Grace Lamarchia Paris
Foreperson.

April 13, 2007es
Indictment filed
Case assigned to Judge Koeltl.
Freeman, USMJ